

## PROPERTY TAX APPEAL BOARD'S DECISION

APPELLANT: Steven Campbell  
DOCKET NO.: 05-25062.001-R-1  
PARCEL NO.: 15-34-115-048-0000

The parties of record before the Property Tax Appeal Board are Steven Campbell, the appellant, by attorney Anthony Farace with the law firm of Amari & Locallo in Chicago, and the Cook County Board of Review.

The subject property consists of a 63-year-old, one and one-half story, single-family dwelling of frame and masonry construction containing 1165 square feet of living area and located in Proviso Township, Cook County. Features of the residence include one and one-half bathrooms, a full-unfinished basement and a one and one-half car detached garage.

The appellant, through counsel, submitted evidence before the Property Tax Appeal Board claiming the subject's market value is not accurately reflected in its assessment. In support of this argument, the appellant's petition disclosed that the subject was purchased in June 2005 for a price of \$210,000; the sale was not a transfer between family and/or related corporations, the subject was sold by a Bank under a Trust Agreement and the seller's mortgage was not assumed. In addition, the appellant provided a copy of the subject's settlement statement as well as a copy of the board of review's decision. Based on this evidence, the appellant requested a reduction in the subject's total assessment to reflect the reduced market value.

The board of review submitted its "Board of Review Notes on Appeal" wherein the subject's final assessment of \$22,155 was disclosed. The assessment reflects a total market value of \$226,766 for the subject, when the 2005 Illinois Department of Revenue's three-year median level of assessments of 9.77% for

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Based on the facts and exhibits presented, the Property Tax Appeal Board hereby finds a reduction in the assessment of the property as established by the Cook County Board of Review is warranted. The correct assessed valuation of the property is:

LAND:	\$ 4,284
IMPR.:	\$ 16,233
TOTAL:	\$ 20,517

Subject only to the State multiplier as applicable.

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Class 2 property, such as the subject, is applied. In support of the assessment, the board submitted property characteristic printouts and descriptive data on four properties suggested as comparable to the subject. The suggested comparables are improved with one and one-half story, single-family dwellings of frame and masonry construction located within two blocks of the subject. The improvements range in size from 959 to 1,170 square feet of living area and range in age from 56 to 61 years. The comparables contain one or one and one-half bathrooms, a full-unfinished basement and a multi-car garage. The improvement assessments range from \$16.22 to \$19.56 per square foot of living area. The board's evidence disclosed that the subject sold in June 2005 for a price of \$210,000.

After reviewing the record and considering the evidence, the Property Tax Appeal Board finds that it has jurisdiction over the parties and the subject matter of this appeal.

When market value is the basis of the appeal the value of the property must be proved by a preponderance of the evidence. National City Bank of Michigan/Illinois v. Illinois Property Tax Appeal Board, 331 Ill.App.3d 1038 (3<sup>rd</sup> Dist, 2002); Winnebago County Board of Review v. Property Tax Appeal Board, 313 Ill.App.3d 179 (2<sup>nd</sup> Dist. 2000). Proof of market value may consist of an appraisal, a recent arms-length sale of the subject property, recent sales of comparable properties, or recent construction costs of the subject property. (86 Ill.Adm.Code §1910.65(c)) Having reviewed the record and considering the evidence, the Board finds the appellant has satisfied this burden.

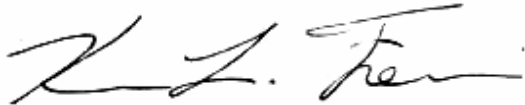
The appellant's evidence disclosed that the subject was purchased in June 2005 for a price of \$210,000; was sold by a Bank under a Trust Agreement, the sale was not a transfer between family or related corporations and the seller's mortgage was not assumed. The Board finds the subject's June 2005 sale for \$210,000 to be the best evidence of market value contained in the record. The Board further finds the board of review failed to present any evidence to refute the arm's length nature of the sale. Moreover, the board of review's evidence did not address the appellant's market value argument.

Therefore, the Property Tax Appeal Board finds that the subject had a market value of \$210,000 as of January 1, 2005. The Board further finds that the 2005 Illinois Department of Revenue's three-year median level of assessments of 9.77% for Class 2 property shall apply and a reduction is warranted.

This is a final administrative decision of the Property Tax Appeal Board which is subject to review in the Circuit Court or Appellate Court under the provisions of the Administrative Review Law (735 ILCS 5/3-101 et seq.) and section 16-195 of the Property Tax Code.



Chairman



Member



Member



Member



Member

DISSENTING: \_\_\_\_\_

C E R T I F I C A T I O N

As Clerk of the Illinois Property Tax Appeal Board and the keeper of the Records thereof, I do hereby certify that the foregoing is a true, full and complete Final Administrative Decision of the Illinois Property Tax Appeal Board issued this date in the above entitled appeal, now of record in this said office.

Date: June 27, 2008



Clerk of the Property Tax Appeal Board

**IMPORTANT NOTICE**

Section 16-185 of the Property Tax Code provides in part:

"If the Property Tax Appeal Board renders a decision lowering the assessment of a particular parcel after the deadline for filing complaints with the Board of Review or after adjournment of the session of the Board of Review at which assessments for the subsequent year are being considered, the taxpayer may, within 30 days after the date of written notice of the Property Tax Appeal Board's decision, appeal the assessment for the subsequent year directly to the Property Tax Appeal Board."

In order to comply with the above provision, YOU MUST FILE A PETITION AND EVIDENCE WITH THE PROPERTY TAX APPEAL BOARD WITHIN 30 DAYS OF THE DATE OF THE ENCLOSED DECISION IN ORDER TO APPEAL THE ASSESSMENT OF THE PROPERTY FOR THE SUBSEQUENT YEAR.

Based upon the issuance of a lowered assessment by the Property Tax Appeal Board, the refund of paid property taxes is the responsibility of your County Treasurer. Please contact that office with any questions you may have regarding the refund of paid property taxes.